

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed

Pursuant to the authority of Iowa Code section 234.6, the Department of Human Services amends Chapter 202, "Foster Care Placement and Services," Iowa Administrative Code.

This amendment defines eligibility and components of Iowa's independent living program, which provides transition assistance to youth leaving foster care. The program is based on Public Law 106-169, the Foster Care Independence Act of 1999, which created the John H. Chafee Foster Care Independence Program. The amendment is needed to define the population on which the Department is required to report for the National Youth in Transition Database.

Beginning in October 2010, the Department is required to report on the population receiving independent living services as well as on a baseline population of all youth in foster care who reach their seventeenth birthday in the federal fiscal year. For federal reporting purposes, children in foster care include all children placed away from their parents for whom the Department has placement and care responsibility. This includes children in unlicensed and unpaid placements with relatives. Eventually, a follow-up report will be required on youth who were part of the baseline population report and reach their twenty-first birthday during the federal fiscal year.

Independent living services may be provided to youth aged 16 to 21 who are in foster care, who were adopted or placed in subsidized guardianship from foster care after reaching the age of 16, or who are participating in the aftercare services program. The independent living program offers a life skills assessment, development of a transition plan, and provision of transition services. Transition services may include education or employment services or services to develop the youth's physical or mental health skills, housing and money management skills, or supportive relationship skills.

This amendment does not provide for waivers in specified situations. Requests for the waiver of any rule may be submitted under the Department's general rule on exceptions at 441—1.8(17A,217).

Notice of Intended Action on this amendment was published in the Iowa Administrative Bulletin on February 24, 2010, as **ARC 8537B**. The Department received one comment from the Coalition for Family and Children's Services in Iowa, which was in support of the amendment. This amendment is identical to the one published under Notice of Intended Action.

The Council on Human Services adopted this amendment on April 14, 2010.

This amendment is intended to implement Iowa Code section 234.6(6)"b."

This amendment shall become effective on July 1, 2010.

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of this amendment [202.11(7)] is being omitted. This amendment is identical to that published under Notice as **ARC 8537B**, IAB 2/24/10.

[Filed 4/14/10, effective 7/1/10]

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[For replacement pages for IAC, see IAC Supplement 5/5/10.]